

**REMARKS**

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-5 are pending and stand rejected. Claims 1 and 2 have been amended. Claims 7 and 8 have been added.

Claims 1-3 and 5 stand rejected under 35 USC 103(a) as being unpatentable over Raynaud (USP no. 5,430,410) in view of Kiyohiro (JP 06232665). In rejecting the claims, the Examiner refers to Raynaud for teaching all the elements of the claims, except for a conversion circuitry that generates an output signal with a level proportional to the square of the effective value of the attenuated signal and refers to Kiyohiro for teaching a square law detection by a diode detector.

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in the interest of advancing the prosecution of this matter, claim 1 has been amended to further recite elements of the attenuation network and the methods for determining the characteristics of the attenuation network. No new matter has been added. Support for the amendment may be found at least on page 5 and in Figure 3. In addition, subject matter recited in claim 2 has been incorporated into claim 1 to provide a concise statement regarding the attenuation means.

Raynaud discloses an amplifier bias control system including a control means that provides a signal to a decoder, which controls a plurality of attenuators in series. The attenuators provide an attenuated signal to a diode detector that produces an attenuated signal to a comparator. The attenuated signal is compared to a reference signal. The output of the comparator is provided to the control means. Responsive to the output of the comparator, the control means provides a signal to change the attenuators until the attenuated signal is equal to the reference signal. The control means signal initially sets the attenuators at a maximum value and continuously causes changes in the attenuators settings until the attenuated signal is equal to the reference signal (see col. 4, lines 11-17).

Kiyohiro discloses a system for providing an attenuated signal to a square law detector that is applied to a comparator to determine a difference between the square law detected attenuated signal and a reference signal.

However, neither Raynaud nor Kiyohiro teach or suggest that the attenuators are constructed of  $\pi$ -structures wherein the elements of the structures are determined based on a desired attenuation and a polarization resistance, as is recited in the claims.

In rejecting the subject matter of claim 2, which recites the attenuators are  $\pi$ -structures, the Examiner refers to Figure 1, col. 2, line s4-7, col. 3, lines 30-32, 38-4 and 60-64 of Raynaud. However, a review of these sections reveals that Raynaud discloses digital attenuators that can be controlled by a command from control means. No where does Raynaud disclose that the digital attenuators are  $\pi$ -structures or that the elements of the  $\pi$ -structures are set dependent upon a desired attenuation and a polarization resistance, as is recited in the claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met, 1. there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, 2. there must be a reasonable expectation of success; and 3. the prior art reference must teach or suggest all the claim limitations.

In this case, a *prima facie* case of obviousness has not been made as each of the elements recited in the claims is not disclosed by the combination of the primary references.

For the amendments made to the independent claims and for the remarks made herein, applicant submits that the combination of the references fails to include all the elements recited in the claims. Accordingly, the subject matter recited in the independent claim is not render obvious and applicant respectfully requests that the rejection be withdrawn.

With regard to the remaining claims, these claims depend from claim 1 and, hence, are also not rendered obvious by the cited references by virtue of their dependency upon an allowable base claims.

Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over Raynaud (USP no. 5,430,410) in view of Kiyohiro (JP 06232665) and further in view of Kovacs (USP no. 5, 422, 601).

Claim 4 depends from claim 1, which has been shown to include subject matter not disclosed by the combination of Raynaud and Kiyohiro. Kovacs discloses a hybrid AGC recovery system including a variable gain amplifier, a first AGC loop, and a digital gain error detection circuit. Kovacs is recited for teaching an adjustable voltage/current converter.

However, Kovacs provides no teaching regarding the structure of the attenuators as is recited in the claims and, thus, fails to provide any teaching to correct the deficiency in the teaching of the primary reference.

Accordingly, claim 4 is not rendered obvious by the combination of the cited references.

For the amendments made to the claims and for the remarks made herein, applicant submits that all the rejections of the claims have been overcome and respectfully request that the rejections be withdrawn.

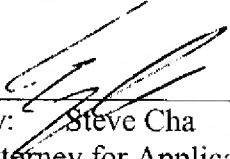
New claims 7 and 8 have been added. No new matter has been introduced into the claim language. Support for the amendment may be found at least on page 5, lines 29-33 and page 6, lines 6-8.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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